

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Environmental Preservation and Conservation Committee

BILL: CS/ SB 1904

INTRODUCER: Committee on Environmental Preservation and Conservation and Senator Lawson

SUBJECT: Saltwater Products Licenses/Residents 65 or Older

DATE: April 21, 2010

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Wiggins	Kiger	EP	Fav/CS
2. _____	_____	GA	_____
3. _____	_____	WPSC	_____
4. _____	_____	_____	_____
5. _____	_____	_____	_____
6. _____	_____	_____	_____

Please see Section VIII. for Additional Information:

- | | | |
|------------------------------|--|---|
| A. COMMITTEE SUBSTITUTE..... | <input checked="checked" type="checkbox"/> | Statement of Substantial Changes |
| B. AMENDMENTS..... | <input type="checkbox"/> | Technical amendments were recommended |
| | <input type="checkbox"/> | Amendments were recommended |
| | <input type="checkbox"/> | Significant amendments were recommended |

I. Summary:

The Committee Substitute (CS) provides that a resident 65 years of age or older, who has held a valid saltwater products license for the previous three years, is not required to pay the annual individual saltwater products license fee, which is required to commercially harvest or sell any saltwater products in Florida.

If the CS is enacted, the Florida Fish and Wildlife Conservation Commission (FWCC) will receive \$36,263 less in revenues generated by salt water products licenses, which are deposited into the Marine Resource Conservation Trust Fund for administration of the license program and management of marine fisheries. Pursuant to s. 328.76, F.S., the Department of Agriculture and Consumer Services (DACS) receives 25 percent of revenues generated by the sale of saltwater products licenses. The DACS will receive an estimated \$12,087 fewer dollars annually.

The CS has an effective date of July 1, 2010.

This CS amends section 379.361, F.S.

II. Present Situation:

Section 379.361, F.S., provides that every person, firm, or corporation that sells, offers for sale, barter, or exchanges for merchandise any saltwater products, or which harvests saltwater products with certain gear or equipment as specified by law, must have a valid saltwater products license (SPL). A saltwater product is defined as any marine fish, shellfish, clam, invertebrate, sponge, jellyfish, coral, crustacean, lobster, crab, shrimp, snail, marine plant, echinoderm, sea star, brittle star or urchin, except non-living shells and salted, cured, canned or smoked seafood. SPL holders can only sell to a licensed Florida saltwater products wholesale dealer.

Currently, the fee for a license issued in the name of a resident commercial saltwater fisher is \$50 (individual SPL); \$100 fee for a license issued to a specific registration number of a vessel (vessel SPL); and \$150 fee for a license issued in a resident's name that authorizes him/her and crew to fish from any vessel (crew SPL).

Commercial fishers must also purchase endorsements to harvest certain species and the endorsements range anywhere from \$25 to \$250, depending on the fishery.

According to the FWCC's analysis, in 2008-09, it issued 10,981 SPLs to Florida residents, of which 6,359 were individual SPLs. Of the 6,359 individual SPLs, 967 were to fishers who will be age 65 or older by June 30, 2010 and who were licensed to fish for the previous three years. SPL fees are deposited into the Marine Resources Conservation Trust Fund. The trust fund is used by FWCC to support marine research, fishery enhancement, statistics development, artificial reefs, law enforcement, license administration, fishery management, manatee rehabilitation, and marine turtle conservation. There has been a 30 percent decrease in sales for SPLs, over the last 10 years.

Additionally, the DACS receives 25 percent of the revenues generated from SPL sales. Pursuant to s. 328.76, F.S., the funds are deposited into the Saltwater Products Promotion Trust Fund within the DACS and used to provide marketing and extension services including industry information and education.

III. Effect of Proposed Changes:

Section 1. Amends s. 379.361, F.S., to provide that a resident 65 years of age or older, who has held a valid SPL license for the previous three years, is not required to pay the annual individual SPL fee.

Section 2. Provides a July 1, 2010 effective date.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Resident commercial saltwater fishers who are 65 years of age or older and who have held a valid SPL license for the previous three years, will be exempt from paying the \$50 individual fee. However, they will still have to pay fees for various endorsements that are required.

C. Government Sector Impact:

FWCC

Total revenues generated by sales of SPLs to resident commercial fishers in 2008-09 were \$788,450. The projected revenue loss in fees to FWCC from licensed SPL fishers age 65 or older, who have held a valid license for the previous three years, is \$36,263.

Department of Agriculture and Consumer Services

The DACS receives 25 percent of revenues generated by the sale of SPLs pursuant to s. 328.76, F.S., for purposes of providing marketing and extension services, including industry education and information. If revenues were to decrease by \$48,350, the DACS would receive an estimated \$12,087 less annually.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Additional Information:

- A. **Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Environmental Preservation and Conservation Committee on April 20, 2010:
The CS added a requirement that eligibility for the fee exemption be predicated on having a license for the previous 3 years.

- B. **Amendments:**

None.